



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,717	01/25/2002	Victor Kouznetsov	002.0236.01	9043

22895 7590 12/16/2004

PATRICK J S INOUE P S
810 3RD AVENUE
SUITE 258
SEATTLE, WA 98104

EXAMINER

CONTEE, JOY KIMBERLY

ART UNIT	PAPER NUMBER
----------	--------------

2686

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/057,717	Applicant(s) KOUZNETSOV, VICTOR	
	Examiner Joy K Contee	Art Unit 2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/31/02 & 1/29/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Hypponen, US Patent Application Publication No. 2004/0083384.

Regarding claims 1 and 12, Hypponen discloses a system (and method) providing telephonic content security service in a wireless network environment, comprising:

a plurality of wireless devices interfacing over a network providing wireless telephonic services through a layered service architecture (page 2 [0024], see Fig. 1);

a provisioning framework provisioning content security services to the wireless devices via the layered service architecture, each content security service delivered through applications executing in a user layer on each wireless device, comprising:

a network operations center supervising the provisioning of the content security services to each wireless device and maintaining a master catalog of the

applications and configured wireless devices list; and a configuration client managing a configuration of each wireless device by consulting the master catalog (reads on database) and the configured wireless devices list and downloading the applications to each wireless device (page 2 [0025-0027]); and each wireless device delivering the content security services as functionality provided through execution of the applications (page 2 [0026-0027]).

Regarding claims 2 and 13, Hypponen discloses a system according to claims 1 and 12, respectively, further comprising: a status daemon periodically pushing operational data from each wireless device to the network operations center (page 3 [0033-0035]).

Regarding claims 3 and 14, Hypponen discloses a system according to claims 2 and 13, further comprising: a status daemon pulling operational data from each wireless device to the network operations center on-demand (page 3 [0033-0035]).

Regarding claims 4 and 15, Hypponen discloses a system according to claim 2, further comprising: a reporting module creating at least one of an informational report (reads on management message) and a statistics report from the operational data (page 2 [0017]).

Regarding claims 5 and 16, Hypponen discloses a system according to claim 2, further comprising: a reporting module generating an alert from the operational data upon detecting a faulty wireless device (page 3 [0030]).

Regarding claims 6 and 17, Hypponen discloses a system according to claims 1 and 12, wherein the applications further comprise support files, further comprising: a

Art Unit: 2686

configuration client providing at least one of updates to the applications and modifications to the support files to the wireless devices (pages 2-3 [0029-0030]).

Regarding claims 7 and 18, Hypponen discloses a system according to claims 6 and 17, wherein the updates and the modifications are periodically downloaded from the network operations center (page 3 [0033-0035]).

Regarding claims 8 and 19, Hypponen discloses a system according to claims 6 and 17, wherein the updates and the modifications are downloaded from the network operations center on-demand (page 3 [0035]).

Regarding claims 9 and 20, Hypponen discloses a system according to claims 1 and 12, further comprising: an application repository maintained on a remote component server storing the applications under control of the network operations center (page 2 [0025]).

Regarding claims 10 and 21, Hypponen discloses a system according to claims 1 and 12, further comprising: a local application repository maintained on a local component server (reads on memory) storing the applications under control of the network operations center (page 2 [0026]).

Regarding claims 11 and 22, Hypponen discloses a system according to claims 1 and 12, wherein the content security service comprises antivirus scanning and the application comprises an antivirus scanner (page 2 [0019]).

Regarding claim 23, Hypponen discloses a computer-readable storage medium holding code for performing the method according to claims 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, or 22 (pages 1-2 [0015]).

Art Unit: 2686

Regarding claims 24 and 32, Hypponen discloses a system for provisioning a plurality of wireless devices in a closed content security service loop framework, comprising:

- a wireless network environment comprising a plurality of wireless devices, each providing wireless telephonic services; a centralized database comprising catalogs of configuration information for the wireless devices (page 2 [0024]);

- a configuration client determining the content security service components required for content security service delivery from the configuration information catalogs and providing the content security service components to each wireless device for configuration and execution (page 3 [0033-0035]); and

- a network operations center delivering content security services to each wireless device through the content security service components being executed thereon, and periodically receiving a status report from each wireless device providing status information comprising machine-specific data and application-specific information (page 3 [0033-0035]).

Regarding claims 25 and 33, Hypponen discloses a system according to claims 24 and 32, further comprising: an applet (or application) executing on the configuration client broadcasting a query message to one or more unconfigured (reads on before registration or subscription) wireless devices and receiving configuration requests from each unconfigured wireless device (page 3 [0033-0035]).

Regarding claims 26 and 34, Hypponen discloses a system according to claims 24 and 32, further comprising: a catalog server generating a catalog of out-of-date

Art Unit: 2686

content security service components on each wireless device (reads on memory storing existing signatures) (page 3 [0031-0032]).

Regarding claims 27 and 35, Hypponen discloses a system according to claim 24, further comprising: an applet executing on the configuration client updating the out-of-date content security service components on each wireless device (page 3 [0031-0032]).

Regarding claims 28 and 36, Hypponen discloses a system according to claims 24 and 32, further comprising: a component server staging the content security service components (page 3 [0033]).

Regarding claims 29 and 37, Hypponen discloses a system according to claims 28 and 36, further comprising: a network operations center storing the staged content security service components (page 3 [0033]).

Regarding claims 30 and 38, Hypponen discloses a system according to claims 28 and 36, further comprising: at least one of a remote component server and a local component server storing the staged content security service components (page 3 [0033]).

Regarding claims 31 and 39. A system according to claims 24 and 32, further comprising: a Web browser executing an applet on the configuration client to manage the configuration of the content security service components on each wireless device.

Regarding claim 40, Hypponen discloses a computer-readable storage medium holding code (reads on software program) for performing the method according to claims 32,33,34,35, 36, 37,38 or 39 (pages 1-2 [0015]).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hypponen et al. U.S. Patent Publication No. 2003/0191957, discloses a distributed computer virus detection and scanning.

Ausems et al., U.S. Patent Publication No. 2003/0013483, discloses a user interface for handheld communication device.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joy K Contee whose telephone number is 703-308-0149. The examiner can normally be reached on M (alternating), T & Th, 5:30 a.m. to 2:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 703-305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2686

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JC

12/07/04


J. K. CONTEE
REGISTERED EXAMINER